

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

SECOND LEGISLATIVE DAY
TUESDAY, JANUARY 13, 2009

House of Representatives

The House convened at 11:30 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused – Barrett, Ringo. Total – 2.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Maddeleine Fehlman,
Page.

Approval of Journal

January 13, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the First Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

January 12, 2009

Mr. Speaker:

I return herewith [HCR 1](#) which has passed the Senate.

WOOD, Secretary

[HCR 1](#) was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

January 13, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [HR 1](#).

CLARK, Chairman

[HR 1](#) was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 2 BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE

A CONCURRENT RESOLUTION
PROVIDING FOR PRINTING THE SESSION LAWS, FIXING THE PRICE FOR PRINTING THE SAME, AND THE PRICE WHICH THE PUBLIC SHALL BE CHARGED FOR COPIES OF THE SESSION LAWS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, Section 67-904, Idaho Code, has made provisions for the printing of the Session Laws;

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, in accordance with a written contract duly made and entered into by the Speaker of the House of Representatives and the President Pro Tempore of the Senate and the House Judiciary, Rules, and Administration Committee and the Senate Judiciary and Rules Committee of the Legislature of the State of Idaho, hereinafter referred to as the Joint Printing Committee, that the contract for the printing of the Session Laws of the First and Second Regular Sessions and any Extraordinary Session of the Sixtieth Idaho Legislature in accordance with the provisions of law and in accordance with the written contract between the Speaker of the House of Representatives and the President Pro Tempore of the Senate and the Joint Printing Committee as party of the first part, and THE CAXTON PRINTERS, LTD., Caldwell, Idaho, as party of the second part, be, and the same is hereby ratified and confirmed, and is incorporated herein and made a part of the resolution, in words and figures following, to wit:

PRINTING CONTRACT

THIS AGREEMENT, made and entered into the 15th day of January, 2009, by and between the Speaker of the House of Representatives and the President Pro Tempore of the Senate and the Joint Printing Committee, hereinafter referred to as party of the first part, and THE CAXTON PRINTERS, LTD., Caldwell, Idaho, hereinafter referred to as party of the second part:

WITNESSETH:

That pursuant to a resolution of said party of the first part and written quotation submitted to the said party of the first part by the party of the second part, a contract for legislative printing is hereby awarded to said THE CAXTON PRINTERS, LTD., as follows:

SESSION LAWS

FIRST AND SECOND REGULAR SESSIONS AND ANY EXTRAORDINARY SESSIONS SIXTIETH LEGISLATURE

As outlined in the December 5, 2008 quote of the party of the second part, the Session Laws will be printed and charged at a price per page not to exceed nineteen dollars and ten cents (\$19.10) based on incremental numbers of copies ordered. The number of copies to be supplied under this contract shall be specified at the time of order. The charge for individually binding the books shall not exceed ten dollars and twenty-five cents (\$10.25) per volume based on the number of copies ordered. The party of the second part shall provide additional copies to be made available for sale to the general public, and based on the number of copies ordered by the party of the first part, the

price to the general public shall not exceed forty-seven dollars and fifty cents (\$47.50) for single volumes and sixty dollars and fifty cents (\$60.50) per set of two volumes if a second volume is required. The Session Laws of any Extraordinary Session adjourned prior to June 1, 2009, shall be included in the Session Laws of the First Regular Session, or if adjourned prior to June 1, 2010, shall be included in the Session Laws of the Second Regular Session. No charge shall be made by the party of the second part for proofreading or blank pages.

IT IS AGREED between the parties hereto that all of said printing shall be done in the form and manner as submitted in the quote of the party of the second part dated December 5, 2008, in compliance with the statutes of the state of Idaho where not otherwise provided, such statutes shall be controlling.

IT IS FURTHER AGREED that said Session Laws shall be printed, delivered and be ready for distribution by the Secretary of State in conformity with the provisions of Section 67-904, Idaho Code, which section is hereby referred to and by such reference made a part of this contract as though set forth herein at length.

IN WITNESS WHEREOF, the party of the second part has caused these presents to be executed by its proper official, and the party of the first part, by Concurrent Resolution, has caused these presents to be executed by its proper officials.

Party of the First Part

By /s/ Lawrence Denney

LAWRENCE DENNEY, Speaker of the House

HOUSE JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

By /s/ Jim Clark

JIM CLARK, Chairman

By /s/ Robert L. Geddes

ROBERT L. GEDDES, President Pro Tempore

SENATE JUDICIARY AND RULES COMMITTEE

By /s/ Denton Darrington

DENTON DARRINGTON, Chairman

Party of the Second Part

THE CAXTON PRINTERS, LTD.

By /s/ Dave Gipson

DAVE GIPSON, President

**HOUSE CONCURRENT RESOLUTION NO. 3
BY JUDICIARY, RULES AND ADMINISTRATION
COMMITTEE**

A CONCURRENT RESOLUTION

**PROVIDING FOR PRINTING THE HOUSE AND SENATE
PERMANENT JOURNALS AND FIXING THE PRICE FOR
PRINTING THE SAME.**

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, Section 67-509, Idaho Code, has made provisions for the printing of the House and Senate Permanent Journals;

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, in accordance with a written contract duly made and entered into by the Speaker of the House of Representatives, the President Pro Tempore of the Senate, the House Judiciary, Rules, and

Administration Committee, and the Senate Judiciary and Rules Committee of the Legislature of the State of Idaho, hereinafter referred to as the Joint Printing Committee, that the contract for the printing of the House and Senate Permanent Journals in accordance with the provisions of law and in accordance with the written contract between the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Joint Printing Committee, as party of the first part, and CUSTOM PRINTING, INC., Nampa, Idaho, as party of the second part, be, and the same is hereby ratified and confirmed, and is incorporated herein and made a part of the resolution, in words and figures following, to wit:

PRINTING AGREEMENT

THIS AGREEMENT, made and entered into the 15th day of January, 2009, by and between the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Joint Printing Committee of the First Regular Session of the Sixtieth Idaho Legislature, hereinafter referred to as party of the first part, and CUSTOM PRINTING, INC., Nampa, Idaho, hereinafter referred to as party of the second part:

WITNESSETH:

That pursuant to a resolution of said party of the first part and written quotation submitted to the said party of the first part by the party of the second part, a contract for legislative printing is hereby awarded to the said CUSTOM PRINTING, INC. as follows:

**HOUSE AND SENATE PERMANENT JOURNALS
FIRST AND SECOND REGULAR SESSIONS
AND ANY EXTRAORDINARY SESSIONS
SIXTIETH LEGISLATURE**

As outlined in the November 11, 2008 quote of the party of the second part, the House and Senate Permanent Journals will be printed and charged at a price per page of thirty-two dollars (\$32.00) not to exceed one hundred and fifty (150) copies of the House Permanent Journal and one hundred and fifty (150) copies of the Senate Permanent Journal. The number of copies to be supplied under this contract shall be specified at the time of order. Included in the price, the party of the second part will print and bind six (6) hard-bound gold lettered volumes for the House and seven (7) hard-bound gold lettered volumes for the Senate. Additional hard-bound gold lettered volumes can be ordered at an additional sixty dollars (\$60.00) per volume.

IT IS AGREED between the parties hereto that all of said printing shall be done in the form and manner as included in the bid specifications, in compliance with the statutes of the state of Idaho where not otherwise provided, such statutes shall be controlling. Upon failure to deliver such House and Senate Permanent Journals in the manner and within the time herein specified, this contract may be deemed terminated forthwith at the option of the party of the first part and recourse had against the bond of the party of the second part.

IT IS FURTHER AGREED that said House and Senate Permanent Journals shall be printed, delivered and be ready for distribution in conformity with the provisions of Section 67-509, Idaho Code, which section is hereby referred to and by such reference made a part of this contract as though set forth herein at length.

IN WITNESS WHEREOF, the party of the second part has caused these presents to be executed by its proper official, and the party of the first part, by Concurrent Resolution, has caused these presents to be executed by its proper officials.

Party of the First Part

By /s/ Lawrence Denney

LAWRENCE DENNEY, Speaker of the House

HOUSE JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEEBy /s/ Jim Clark
JIM CLARK, ChairmanBy /s/ Robert L. Geddes
ROBERT L. GEDDES, President Pro Tempore

SENATE JUDICIARY AND RULES COMMITTEE

By /s/ Denton Darrington
DENTON DARRINGTON, Chairman

Party of the Second Part

CUSTOM PRINTING, INC.

By /s/ Michael B. Cutler
MICHAEL B. CUTLER**HOUSE CONCURRENT RESOLUTION NO. 4
BY JUDICIARY, RULES AND ADMINISTRATION
COMMITTEE**A CONCURRENT RESOLUTION
PROVIDING FOR PRINTING OF HOUSE AND
SENATE BILLS, RESOLUTIONS, MEMORIALS AND
AMENDMENTS, AND FIXING THE PRICE FOR PRINTING
THE SAME.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the House Judiciary, Rules, and Administration Committee and the Senate Judiciary and Rules Committee have, according to law, made provisions for the printing of the House and Senate bills, resolutions, memorials and amendments;

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, in accordance with a written contract duly made and entered into by the Speaker of the House of Representatives, the President Pro Tempore of the Senate, the House Judiciary, Rules, and Administration Committee, and the Senate Judiciary and Rules Committee of the Legislature of the State of Idaho, hereinafter referred to as the Joint Printing Committee, that the contract for the printing of the House and Senate bills, resolutions, memorials and amendments, in accordance with the provisions of law and in accordance with the written contract between the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Joint Printing Committee, as party of the first part, and the BUREAU OF COPY AND RECORDS SERVICES, Boise, Idaho, as party of the second part, be, and the same is hereby ratified and confirmed, and is incorporated herein and made a part of the resolution, in words and figures following, to wit:

PRINTING AGREEMENT

THIS AGREEMENT, made and entered into the 15th day of January, 2009, by and between the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Joint Printing Committee of the First Regular Session of the Sixtieth Idaho Legislature, hereinafter referred to as party of the first part, and, the BUREAU OF COPY AND RECORDS

SERVICES, Boise, Idaho, hereinafter referred to as party of the second part:

WITNESSETH:

That pursuant to a resolution of said party of the first part and written quotation submitted to the said party of the first part by the party of the second part, a contract for legislative printing is hereby awarded to the said BUREAU OF COPY AND RECORDS SERVICES as follows:

HOUSE AND SENATE BILLS, RESOLUTIONS,
MEMORIALS AND AMENDMENTS
FIRST AND SECOND REGULAR SESSIONS
AND ANY EXTRAORDINARY SESSIONS
SIXTIETH LEGISLATURE

As outlined in the November 18, 2008 quote of the party of the second part, the House and Senate bills, resolutions, memorials and amendments will be printed and charged at a price per page not to exceed eight dollars and fifty cents (\$8.50) based on incremental numbers of copies ordered. The number of copies to be supplied under this contract shall be specified at the time of order, and may be adjusted as required by the party of the first part.

IT IS AGREED between the parties hereto that all of said printing shall be done in the form and manner as included in the bid specifications, in compliance with the statutes of the state of Idaho where not otherwise provided, such statutes shall be controlling. Upon failure to deliver such bills, resolutions, memorials and amendments in the manner and within the time herein specified, this contract may be deemed terminated forthwith at the option of the party of the first part and recourse had against the bond of the party of the second part.

IN WITNESS WHEREOF, the party of the second part has caused these presents to be executed by its proper official, and the party of the first part, by Concurrent Resolution, has caused these presents to be executed by its proper officials.

By /s/ Lawrence Denney
LAWERENCE DENNEY, Speaker of the HouseHOUSE JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEEBy /s/ Jim Clark
JIM CLARK, ChairmanBy /s/ Robert L. Geddes
ROBERT L. GEDDES, President Pro Tempore

SENATE JUDICIARY AND RULES COMMITTEE

By /s/ Denton Darrington
DENTON DARRINGTON, Chairman

BUREAU OF COPY AND RECORDS SERVICES

By /s/ Bobbi Eckerle
BOBBI ECKERLE, Supervisor**HOUSE CONCURRENT RESOLUTION NO. 5
BY JUDICIARY, RULES AND ADMINISTRATION
COMMITTEE**A CONCURRENT RESOLUTION
PROVIDING FOR PRINTING THE HOUSE AND SENATE
DAILY JOURNALS AND FIXING THE PRICE FOR
PRINTING THE SAME.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, Section 67-509, Idaho Code, has made provisions for the printing of the House and Senate Daily Journals;

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, in accordance with a written contract duly made and entered into by the Speaker of the House of Representatives, the President Pro Tempore of the Senate, the House Judiciary, Rules, and Administration Committee, and the Senate Judiciary and Rules Committee of the Legislature of the State of Idaho, hereinafter referred to as the Joint Printing Committee, that the contract for the printing of the House and Senate Daily Journals in accordance with the provisions of law and in accordance with the written contract between the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Joint Printing Committee, as party of the first part, and the BUREAU OF COPY AND RECORDS SERVICES, Boise, Idaho, as party of the second part, be, and the same is hereby ratified and confirmed, and is incorporated herein and made a part of the resolution, in words and figures following, to wit:

PRINTING AGREEMENT

THIS AGREEMENT, made and entered into the 15th day of January, 2009, by and between the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Joint Printing Committee of the First Regular Session of the Sixtieth Idaho Legislature, hereinafter referred to as party of the first part, and the BUREAU OF COPY AND RECORDS SERVICES, Boise, Idaho, hereinafter referred to as party of the second part:

WITNESSETH:

That pursuant to a resolution of said party of the first part and written quotation submitted to the said party of the first part by the party of the second part, a contract for legislative printing is hereby awarded to the said BUREAU OF COPY AND RECORDS SERVICES as follows:

HOUSE AND SENATE DAILY JOURNALS FIRST AND SECOND REGULAR SESSIONS AND ANY EXTRAORDINARY SESSIONS SIXTIETH LEGISLATURE

As outlined in the November 18, 2008 quote of the party of the second part, the House and Senate Daily Journals will be printed and charged at a price per page not to exceed four dollars and fifty cents (\$4.50) based on incremental numbers of copies ordered. The number of copies to be supplied under this contract shall be specified at the time of order, and may be adjusted as required by the party of the first part.

IT IS AGREED between the parties hereto that all of said printing shall be done in the form and manner as included in the bid specifications, in compliance with the statutes of the state of Idaho where not otherwise provided, such statutes shall be controlling. Upon failure to deliver such House and Senate Daily Journals in the manner and within the time herein specified, this contract may be deemed terminated forthwith at the option of the party of the first part and recourse had against the bond of the party of the second part.

IT IS FURTHER AGREED that said House and Senate Daily Journals shall be printed, delivered and be ready for distribution in conformity with the provisions of Section 67-509, Idaho Code, which section is hereby referred to and by such reference made a part of this contract as though set forth herein at length.

IN WITNESS WHEREOF, the party of the second part has caused these presents to be executed by its proper official, and the party of the first part, by Concurrent Resolution, has caused these presents to be executed by its proper officials.

Party of the First Part

By /s/ Lawrence Denney

LAWRENCE DENNEY, Speaker of the House

HOUSE JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

By /s/ Jim Clark

JIM CLARK, Chairman

By /s/ Robert L. Geddes

ROBERT L. GEDDES, President Pro Tempore

SENATE JUDICIARY AND RULES COMMITTEE

By /s/ Denton Darrington

DENTON DARRINGTON, Chairman

Party of the Second Part

BUREAU OF COPY AND RECORDS SERVICES

By /s/ Bobbi Eckerle

BOBBI ECKERLE

HCR 2, HCR 3, HCR 4, and HCR 5 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Mr. Moyle moved that the following persons be approved as attaches to serve the House of Representatives for and during the First Regular Session of the Sixtieth Idaho Legislature. Seconded by Mr. Rusche.

Chief Clerk of the House	Bonnie Alexander
Sergeant at Arms	Judith K. Christensen
Chaplain	Tom Dougherty
Minority Leadership Secretary	Cathy Downs
Chief Fiscal Officer	Terri Franks-Smith
Assistant to Majority Leadership	Sue Frieders
Assistant to the Speaker	Sue Frieders
Minority Leadership Secretary	Perri Gardner
Assistant to Minority Leadership	Marisa Nelson
Assistant Sergeant at Arms	Al Noyes
Assistant Chief Clerk	Patti Rector
Docket Clerk	Carol Ryan
Secretary	Shirley Scott
Journal Clerk	Leslie Sheedy
Journal Clerk	Chris Taylor

Committee Secretaries:

Judiciary, Rules & Administration	Betty A. Baker
Commerce & Human Resources	Doreen Bowden
Local Government	Doreen Bowden
Health & Welfare	Jennifer Coggins
Agricultural Affairs	Lisa Daniels
Ways & Means	Sue Frieders
Environment, Energy & Technology	Peggy Heady
Revenue & Taxation	Joann Hopkins
Education	Claudia Howell
Business	MaryLou Molitor
Resources & Conservation	Molly Smith
State Affairs	Marsha Walker
Transportation & Defense	Cindy Williams

Appropriations Kathryn Yost

Information Center:

Information Clerk Jerry Csutoras

Telephone Operator Arlene Eidemiller

Telephone Operator Donna Nelson

Director Kathleen Sullivan

Telephone Operator Katy Tollefson

Pages:

Todd Beck Mark Bruzas

Madeline Fehlman Breanna Fuechsel

Lee Gray Shirin Johnson

Bryson Lind Travyn Mapes

Erica Olsen Danielle Schmidt

Whereupon the Speaker declared the motion carried by voice vote and administered the oath of office to the above named attaches.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Wednesday, January 14, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:53 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk